



U.S. Immigration
and Customs
Enforcement

Fact Sheet

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ICE Worksite Enforcement

U.S. Immigration and Customs Enforcement (ICE), the largest investigative arm of the Department of Homeland Security (DHS), is charged with ensuring national security by enforcing U.S. immigration laws and restoring integrity to the immigration system. To that end, ICE has developed a comprehensive strategy for fighting illegal immigration that includes effective worksite enforcement aimed at promoting national security, protecting critical infrastructure, and ensuring fair labor standards. From Fiscal Year 2004 to Fiscal Year 2005, the number of ICE worksite enforcement criminal investigations increased from 465 to 511.

Targeting National Security and Critical Infrastructure Sites

In accordance with ICE's homeland security mission, ICE special agents prioritize worksite enforcement efforts by focusing on investigations related to critical infrastructure and national security. Unauthorized workers employed at sensitive sites and critical infrastructure facilities — such as airports, seaports, nuclear plants, chemical plants, and defense facilities — pose serious homeland security threats. Not only are the identities of these individuals in question, but these aliens are also vulnerable to exploitation by terrorists and other criminals given their illegal status in this country. Furthermore, these individuals have access to some of the most sensitive worksites in the nation. ICE often works with employers in these cases to identify and immediately remove illegal workers from these sensitive locations. (**See case examples below**).

Traditional Worksite Enforcement

While worksites with a nexus to national security are priorities for ICE, agents continue to conduct important worksite enforcement operations at other places of employment. These investigations often involve egregious criminal employer violations and widespread abuses where ICE enforcement actions can send a strong deterrent message to other employers who knowingly employ illegal aliens. In addition, these traditional worksite enforcement cases often involve additional violations such as alien smuggling, alien harboring, document fraud, money laundering, fraud, or some form of worker exploitation. (**See case examples below**).

Investigating Violators

Agents conducting worksite enforcement investigations frequently identify other immigration-related violations, particularly the use and possession of fraudulent documents to gain employment. ICE has a full range of tools for conducting investigations of these violations. ICE's Forensic Documents Laboratory (FDL) is a critical resource for investigators seeking to determine the authenticity of documents used to establish

employment eligibility. Because employers who violate immigration laws are also prone to commit other employment-related violations, ICE works closely with the Department of Labor and other regulatory entities.

Protecting Workers

Illegal workers frequently lack the employment protections afforded those with legal status and are less likely to report workplace safety violations and other concerns. Furthermore, their lack of legal status leaves them in the shadows, vulnerable to exploitation by unscrupulous employers who may pay substandard wages, or force workers to endure intolerable working conditions. Prosecuting the employers who engage in worker exploitation and endangerment is a high priority for the ICE worksite enforcement program.

Protecting Employers

Homeland security is more than a federal government function — it is a shared mission for all Americans, including private industry. An employer who knowingly hires unauthorized workers may be criminally prosecuted or be faced with administrative fines of up to \$11,000 per person. ICE works with the private sector to educate them about their responsibilities in this area. In addition, U.S. Citizenship and Immigration Services (CIS) operates the Basic Pilot Program, a web-based application that employers can use to verify the employment eligibility of newly hired workers. The Basic Pilot Program is available nationwide and there are more than 15,000 employer sites linked to this program.

Recent Worksite Enforcement Actions

Recent examples of ICE worksite enforcement operations include the following:

COMMERCIAL AIRPORTS: Operation Tarmac is an ongoing ICE initiative that targets employers and unauthorized workers who have access to sensitive areas at the nation's commercial airports. To date, ICE agents have conducted investigations at 196 airports nationwide and audited nearly 6,000 businesses as part of this operation. As a result, ICE has identified over 5,800 unauthorized airport workers, arrested more than 1,100 unauthorized alien workers at airports, and obtained 775 criminal indictments. Recent cases include:

- On March 25, 2005, ICE agents arrested 14 illegal aliens working at Logan International Airport in Boston. All the aliens were employed by a contract company that provided services for Logan Airport. The illegal aliens had badges that allowed them access beyond where passengers are screened. The investigation is ongoing.
- On March 8, 2005, ICE agents arrested 27 illegal aliens working as aircraft mechanics and in other aircraft maintenance jobs at the Piedmont/Triad International Airport in Greensboro, N.C. At least two the aliens had FAA mechanics licenses to work on aircraft. Twelve individuals have been indicted in this case on a range of criminal charges, including knowingly hiring illegal aliens.

NUCLEAR PLANTS & RELATED INDUSTRIES: Operation Glow Worm is joint operation by ICE and the Nuclear Regulatory Commission to screen the workforce at the nation's 104 nuclear power plants. To date, investigations have been completed at 56 nuclear plants and 1,005 related employers have been inspected, with audits of 64,835 employees having been completed. Numerous unauthorized workers have been arrested and warning notices have been issued to those employing unauthorized workers. Some recent cases include:

- On September 15, 2005, ICE arrested three illegal aliens when they attempted to enter the outer secure area of the Omaha Public Power District's Fort Calhoun Nuclear Station to perform contract work at the plant. The three men, all citizens of Mexico, had been hired by an independent contractor to perform maintenance work at the nuclear facility.
- During a two-week period in March 2005, ICE agents arrested six illegal aliens performing maintenance at the Crystal River Nuclear Power Plant in Citrus, Florida. All were employees of a Texas-based specialty contract company. At least one was later indicted on criminal charges.
- On March 18, 2005, ICE agents arrested an illegal alien who performed contract pipe insulation work at the Duane Arnold Energy Center Nuclear Power Plant in Palo, Iowa. He was later indicted for using and possessing fraudulent documents and making false statements to federal agents.
- On November 7, 2004, ICE agents arrested 44 illegal aliens working at the Marley Cooling Technologies factory in Kansas, where cooling towers for nuclear power plants are made. The illegal aliens used fraudulent documents to gain employment at the facility.

CHEMICAL PLANTS: Over the past few years, ICE agents have investigated a number of cases around the country in which illegal aliens have gained employment with contract companies that provided workers to some of the nation's most sensitive refineries and chemical plants. Some recent cases include:

- On May 20, 2005, ICE agents arrested 60 illegal aliens who performed contract work at 12 sensitive facilities, including seven petrochemical refineries and two power plants, located in California, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. The aliens were employed by a company that provides workers to the petrochemical industry, the nuclear industry and other energy sectors. The investigation continues.
- On January 14, 2005, ICE agents arrested 17 illegal aliens at the Shell chemical refinery at the Port of Mobile, Alabama, as part of an ongoing probe into petroleum industry subcontractors. All the aliens were employed by a subcontractor. One of the aliens had an outstanding criminal arrest warrant.
- On November 24, 2004, ICE arrested nine illegal aliens at the Marathon Ashland Petroleum Refinery in Garyville, Louisiana, after an investigation revealed that they had made false statements to gain employment with an insulation company in Alabama that supplied workers to the refinery.

DEFENSE SECTOR FACILITIES: ICE agents continue to focus significant attention on facilities and companies that provide illegal contract employees to work on U.S. military bases and on U.S. military products, including some of the armed forces' most sensitive aircraft and ships. Some recent cases include:

- On October. 5, 2005, ICE arrested three illegal aliens (from Indonesia & Senegal) who served as language instructors at the U.S. Army Special Operations Command at Fort Bragg, North Carolina. Two of them were criminally charged with using false documents to gain employment and making false statements. The third was charged with being in the country illegally. The employees provided language instruction to U.S. Special Forces.

- On October 4, 2005, seven illegal aliens were arrested at the U.S. Air Force Base in Mountain Home, Idaho, following an investigation by ICE and the U.S. Air Force Office of Special Investigations (OSI). The men — six from Mexico and one from Canada — were working for Nutek Construction, which was sub-contracted to build housing on the secure air base.
- On August 26, 2005, ICE agents arrested six Mexican nationals at the Fort Irwin U.S. Army base east of Barstow, Calif. The men were working illegally for Laurence-Hovenier, Inc., a construction company building military housing at the base. The workers, most of whom had security badges authorizing them to enter the base, were identified after agents audited the hiring records of more than 700 Laurence-Hovenier workers. The audit found that more than 40 percent of the employees on the company's payroll might not have been authorized to work in the U.S.
- On July 26, 2005, ICE agents arrested six illegal aliens working at the Homestead Air Reserve Base in Homestead, Fla. The men, who were contracted by a Texas-based corporation, were working on a major runway-resurfacing project. Officers working at the Air Reserve's main gate noticed irregularities in the documents presented by the three men and called ICE for follow-up.
- On July 6, 2005, ICE special agents, working with the Defense Criminal Investigative Service, the Air Force Office of Investigation, the Social Security Office of the Inspector General and the Johnston County Sheriff's office, arrested 48 illegal aliens who were working at the Seymour Johnson Air Force Base in Goldsboro, N.C.
- On June 1, 2005, ICE agents arrested 26 illegal workers who had access to the Northrup Grumman Shipyard in Pascagoula, Mississippi. The individuals were presented for prosecution for a range of crimes including using fake documents to gain employment, making false statements, and illegal re-entry to the United States after deportation.
- On May 17, 2005, ICE agents arrested 9 unauthorized aliens performing contract work at a Winston-Salem, N.C., facility that refits the U.S. Navy's P-3 Orion aircraft — which is the Navy's primary anti-submarine patrol aircraft. The aliens are known to have performed work on the Navy aircraft.
- On April 14, 2005, ICE agents arrested 18 illegal aliens working for a San Diego company that performed maintenance on U.S. Navy vessels in San Diego. Most of the aliens had badges authorizing them to enter the Navy base. An ICE audit of the contractor revealed that nearly half its employees were illegal workers. The arrests were the latest in an ongoing ICE probe in that has netted 163 arrests of illegal aliens with access to military bases in San Diego and Imperial Counties.
- On March 21, 2005, ICE agents arrested 9 illegal aliens working at a national defense subcontractor in Tucson, Arizona, that provides services to Honeywell, IBM and Texas Instruments facilities. The aliens used fraudulent immigration documents to gain employment with the subcontractor.
- On January 4, 2005, a San Antonio, Texas, company pleaded guilty to falsifying employment forms to hire hundreds of illegal aliens for contract work at the nation's top producer of "Meals-Ready-to-Eat" (MRE) for U.S. military personnel in Iraq. The illegal aliens had been hired by the contractor to work at a firm that had been awarded a \$47.2 million contract to deliver more than 1 million MREs to support U.S. troops in Iraq. The guilty plea resulted from an ICE / FBI investigation.

- On October 13, 2004, ICE agents arrested 9 illegal aliens at the Department of Defense's Iowa Army Ammunition Plant in Middletown, Iowa. All were criminally charged with possessing fraudulent documents.
- On August 31, 2004, ICE agents arrested 9 illegal aliens performing contract work at Boeing's Phoenix-area helicopter systems plant, which manufactures aircraft for the U.S. military. The illegal aliens used fraudulent Social Security numbers and counterfeit documents to gain employment.

SEAPORTS: In recent years, ICE has teamed up with other agencies to target illegal aliens who are working at or who have gained access to sensitive areas at the nation's seaports. Many of these illegal aliens have been able to obtain badges giving them full access to these ports. Some of these cases include:

- On Oct. 5, 2005, ICE agents arrested seven Mexican nationals working illegally at a Pacific American Service (PACAM) warehouse and distribution center for goods brought into the United States through the Port of Oakland. PACAM'S bonded facilities are located in northern California, close to the San Francisco and Oakland ports, rail yards and international airports.
- On November 9, 2004, ICE agents and other federal, state and local agencies announced the indictment and arrest of 14 illegal workers at the Port of Tampa on charges of social security fraud, possession of counterfeit documents and unlawful re-entry after deportation. Using fraudulent documents, these illegal aliens had obtained port access badges.
- On April 6, 2004, ICE agents arrested 13 illegal aliens for using fraudulent Social Security numbers to acquire access badges to restricted areas at Port Canaveral, Florida. Eight other illegal aliens also working at the port were arrested by the U.S. Border Patrol.

TRADITIONAL WORKSITES: ICE agents continue to conduct important enforcement operations at traditional worksites. As explained above, these investigations often involve egregious criminal employer violations or cases in which there is a nexus to other violations such as alien smuggling, alien harboring, money laundering, fraud, or some form of worker exploitation. Some recent cases include:

- On March 18, 2005, ICE and the Department of Justice announced that they had reached a global \$11 million civil settlement with Wal-Mart Stores, Inc., as a result of an ICE investigation into the alleged hiring of illegal aliens by contractors that provided cleaning services to Wal-Mart stores throughout the country. ICE also announced that 12 companies that provided contract workers to Wal-Mart agreed to plead guilty to criminal immigration charges and to forfeit an additional \$4 million to the U.S. government. The civil settlement and criminal forfeiture represent the two most significant actions in the field of immigration enforcement sanctions since the law barring the employment of illegal aliens was first enacted in 1986. Nearly 350 illegal aliens were arrested by ICE in the case.
- On Aug. 9, 2005, the owner of a now-defunct immigration consulting firm in Fountain Valley, Calif., was sentenced to 30 months in prison for submitting hundreds of fraudulent visa petitions and for money laundering. He and his former business partner, who was convicted of similar charges, both face deportation upon completion of their sentences.
- On July 27, 2005, the Haitian American Community Help Organization of South Florida in Miami and its executive director were indicted in federal court for conspiracy to commit mail fraud, mail

fraud, and presenting false applications for employment authorization. According to the indictment, the organization submitted more than 10,000 fraudulent applications for employment authorization to the U.S. government.

- On July 26, 2005, ICE special agents arrested 119 illegal aliens at Petit Jean Poultry, Inc., in Arkadelphia, Ark. who were using the identities of U.S. citizens. The arrests stemmed from the 2004 arrest of a former Petit Jean employee who later pleaded guilty to criminal charges of selling identity documents and social security cards.
- In June 2004, as a result of an investigation by ICE and the Department of Labor's Office of Inspector General, two South African citizens were criminally charged in Kansas with 24 counts of various acts of immigration fraud. The pair is suspected of forging signatures of U.S. employers on immigration and labor forms required as part of the process to obtain temporary work visas for South African nationals.
- On April 28, 2005, a Wisconsin restaurant chain and its owner were indicted on criminal charges of hiring illegal aliens for the restaurant chain and providing them with fake identity documents as a result of an ICE investigation.
- On April 27, 2005, ICE agents arrest 66 illegal aliens who were working at a construction site to build a new federal court facility in Orlando, Florida. The investigation revealed that the illegal aliens used fraudulent Social Security and counterfeit documents to obtain employment with contractors building the new courthouse.
- On March 17, 2005, ICE agents arrested the owner of a cleaning service company in Boston and 57 illegal aliens working at the company. The owner of the company was charged in a criminal indictment with attempting to bribe a federal officer and knowingly employing illegal aliens.
- On March 14, 2005, ICE agents announced that a long-term investigation in Grand Forks, N.D. had resulted in the indictment of two members of a Texas-based employment agency that allegedly supplied illegal workers to Asian restaurants throughout the central United States. Six others were indicted in the scheme to recruit illegal workers for these restaurants.
- On March 9, 2005, five individuals who had been charged with money laundering, as well as hiring and harboring illegal aliens to work for substandard wages at their Albuquerque, New Mexico, Chinese restaurants agreed to plead guilty. Indictments in the ICE case seek the forfeiture of more than \$11 million in illicit proceeds that the defendants allegedly earned from this operation.
- On November 18, 2004, ICE agents in Albany, New York, detained 80 illegal aliens and arrested 8 Chinese individuals who operated Asian restaurants throughout upstate New York. The leaders of this organization were indicted on criminal charges of harboring and illegally employing aliens for substandard wages and then using bank and investment accounts to launder the illicit proceeds from this operation. The indictment sought the forfeiture of more than 40 savings accounts and 11 investment accounts containing illicit proceeds from this operation, as well as vehicles, and properties. ICE agents seized at least \$ 4 million in cash, vehicles, real estate, and other assets.
- On November 9, 2004, an ICE investigation in Atlanta resulted in federal charges against 18 individuals for conspiracy and inducing and encouraging illegal aliens to reside in the United States.

The primary defendants operated at least 60 gas stations and stores in the Atlanta metro area that employed hundreds of illegal aliens. ICE agents have seized more than 25 properties and roughly 50 bank accounts as part of the investigation.

ICE

U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.